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Filing date: **04/24/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91189304
Party	Defendant BAROSSA VALLEY ESTATE LIMITED
Correspondence Address	Craig A. Fieschko DeWitt Ross & Stevens S.C. Intellectual Property Department, 2 E. Mifflin Street, Suite 600 Madison, WI 53703-2865 UNITED STATES cf@dewittross.com
Submission	Answer
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Date	04/24/2009
Attachments	TTAB--090424--Answer.pdf (2 pages)(124886 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Brandbrew S.A.	Opposition No.: 91189304
Opposer,	
v.	Mark: E Bass
Barossa Valley Estate Limited	
Applicant	Serial No.: 79045887

ANSWER TO NOTICE OF OPPOSITION

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
Attn: TTAB (No Fee)

The Applicant Barossa Valley Estate Limited, by its undersigned attorney, answers the Notice of Opposition as follows:

1. Applicant does not have sufficient information to form a belief as to the truth of the allegations of Paragraphs 1-3 of the Notice of Opposition and therefore denies the same.
2. Answering Paragraph 4 of the Notice of Opposition, Applicant admits that it filed the application identified by serial number 79/045887, and lacking sufficient information to form a belief as to the truth of any remaining allegations of Paragraph 4, denies any such remaining allegations.
3. Applicant admits the allegations of Paragraphs 5-9 of the Notice of Opposition.

The undersigned certifies that a true copy of this ANSWER TO NOTICE OF OPPOSITION was electronically filed with the Trademark Trial and Appeal Board of the United States Patent and Trademark Office as of the date set out below, with copy via first-class mail to Opposer's counsel:

David A. Weinstein
695 South Colorado Boulevard, Suite 3600
Denver, CO 80246

24 April 2009

Date of Deposit

24 April 2009

Date of Signature


Marcia A. Layton

Marcia A. Layton

4. Applicant admits the allegations of Paragraphs 5-9 of the Notice of Opposition.
5. Applicant denies the allegations of Paragraph 10 of the Notice of Opposition.
6. Answering Paragraph 11 of the Notice of Opposition, Applicant denies that Applicant's goods (wines) and Opposer's goods (none of which are wines) are similar; admits that both Applicant's goods and Opposer's goods are alcoholic beverages; and lacking sufficient information to form a belief as to the truth of any remaining allegations of Paragraph 11, denies any such remaining allegations.
7. Applicant does not have sufficient information to form a belief as to the truth of the allegations of Paragraph 12 of the Notice of Opposition and therefore denies the same.
8. Applicant denies the allegations of Paragraphs 13-15 of the Notice of Opposition.

The Applicant therefore requests that the Opposition be dismissed with prejudice; that the application be passed to issuance; and that the Applicant be awarded such other relief as the Trademark Trial and Appeal Board shall deem just and proper.

For the Applicant,


Craig A. Fieschko

24 APR 2009

Date

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